

# LICENSING COMMITTEE

WEDNESDAY, 21<sup>ST</sup> OCTOBER, 2015

PRESENT: Councillor T. Theophilus [Chair]

## Councillors:

T. Bowen, J.M. Charles, A. Davies, P.M. Edwards, J.K. Howell, I.J. Jackson, H.I. Jones, P.E.M. Jones, D.J.R. Llewellyn, J. Thomas, M.K. Thomas, D.E. Williams and J.S. Williams.

## The following Officers were in attendance:

Mrs S. Watts	Public Health Services Manager
Mr R. Edgecombe	Legal Services Manager
Mr J. Power	Senior Licensing Officer
Mr P. Booth	Licensing Officer
Mrs M. Evans Thomas	Democratic Services Officer

Representing the Police Authority: Mr M. Price

Chamber, County Hall, Carmarthen : 10.00 a.m. - 12.15 p.m.

### 1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor T. Davies.

### 2. DECLARATIONS OF PERSONAL INTERESTS

Councillor	Minute No.	Nature of Interest
A. Davies	7 – Application to Renew a HC/PH Dual Driver’s Licence – Mr Emyr Glyn Davies	Applicant is known to him.
J.K. Howell	9 – Application for the Grant of a HC/PH Dual Driver’s Licence – Mr Daniel Simon Lawrence	Applicant lives in his ward.
J.K. Howell	12 – Application for the Grant of a HC/PH Dual Driver’s Licence – Mr David Timothy Jones	Applicant lives in his ward.
I.J. Jackson	8 – Application to Renew a HC/PH Dual Driver’s Licence – Mr Anthony John Wathan	Applicant is known to him.

### 3. PRIVATE HIRE VEHICLE LICENCE

The Committee considered an application from Mr Hywel Douglas Price Thomas of 2 Pryce Street, Llanelli to be granted an exemption from conditions 5a and 5b of the Council’s Licence Conditions for Private Hire Vehicles for his Mercedes Vito registration number WV65 UTH.

Mr Thomas had requested that, as he intended to operate the vehicle for executive and airport hire only, he be granted an exemption from conditions 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles, namely that he be not required to display door stickers and a licence plate on the rear bumper of his licensed vehicle. Mr Thomas had been previously granted this exemption for other vehicles operated by him.

The Public Health Services Manager advised that should the Licensing Committee agree to grant an exemption from conditions 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles, then the following licence conditions would be attached to the licence:-

- That the licensed Mercedes Vito registration WV65 UTH be exempt from licence conditions 5a and 5b whilst being used for executive and airport hire purposes as outlined in the application by Mr Thomas;
- That, should the vehicle be used for private hire other than executive hire, then the applicant shall immediately notify the Licensing Authority and the exemption shall cease in relation to such hiring;
- That the vehicle displays an identification disc on the front and rear windscreens, as specified by the Licensing Authority.

**RESOLVED that the application be granted in accordance with the conditions detailed within the report.**

**4. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR LEONARD ERIC SUMMERS**

The Committee considered an application from Mr Leonard Eric Summers of 20 Rhos Las, Tregunmor, Carmarthen to renew his Hackney Carriage/Private Hire Dual Driver's Licence.

Mr Summers was 70 years of age and Condition 25 of the Council's Conditions of Licensing for Hackney Carriage and Private Hire Dual Drivers states that "The driver shall be at least twenty one years of age and must not be older than seventy years of age".

Mr Summers had produced a medical certificate confirming that he was fit to drive a Hackney Carriage/Private Hire Vehicle.

The Committee thereupon

**RESOLVED that the application by Mr Leonard Eric Summers to renew his Hackney Carriage/Private Hire Dual Driver's Licence be granted.**

**5. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MRS SARAH JENNA WYNNE**

The Committee was reminded that consideration of this item was deferred at the meeting held on 3<sup>rd</sup> September, 2015 (minute 5 refers) as Mrs Wynne was unable to attend.

The Committee was advised that Mrs Wynne had contacted the Licensing Section to advise that she would be unable to attend today's meeting as she would be

away on holiday and had requested that the Committee consider her application in her absence.

The Committee duly considered an application from Mrs Sarah Jenna Wynne of 30 St. Non's Avenue, Carmarthen to renew her Hackney Carriage/Private Hire Dual Driver's licence.

Concern was expressed that insufficient information was available to enable the Committee to make an informed decision, as the applicant was not in attendance to provide clarification and in view of the fact that the Committee was considering suspension or revocation, it was therefore

**RESOLVED that consideration of the application by Mrs Sarah Jenna Wynne to renew her Hackney Carriage/Private Hire Dual Driver's Licence be deferred to the next meeting of the Committee and that she be advised that the Committee was considering suspending or revoking her licence and that should she fail to attend then her application may be dealt with in her absence.**

**6. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR CHRISTOPHER WAYNE PRICE**

The Committee considered an application from Mr Christopher Wayne Price of 11 Carway Street, Burry Port, Llanelli for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence. The Committee interviewed Mr Price with regard to his application.

The Public Health Services Manager recommended that Mr Price's application be granted with a warning as to his future conduct.

The Committee thereupon

**RESOLVED that, in line with the Council's guidelines, the application submitted by Mr Christopher Wayne Price for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be granted and that he be issued with a warning as to his future conduct.**

**7. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR EMYR GLYN DAVIES**

[NOTE: Councillor A. Davies, having earlier declared an interest in this item, left the Chamber prior to the consideration and determination thereof.]

The Committee considered an application from Mr Emyr Glyn Davies of 13 Banc y Ddraenen, Capel Hendre, Ammanford to renew his Hackney Carriage/Private Hire Dual Driver's Licence. The Committee interviewed Mr Davies with regard to his application.

The Public Health Services Manager recommended that Mr Davies' application be granted with a warning as to his future conduct.

The Committee thereupon

**RESOLVED that, in line with the Council's guidelines, the application submitted by Mr Emyr Glyn Davies to renew his Hackney Carriage/ Private Hire Dual Driver's Licence be granted and that he be issued with a warning as to his future conduct.**

**8. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR ANTHONY JOHN WATHAN**

[NOTE: Councillor I.J. Jackson, having earlier declared an interest in this item, left the meeting prior to the consideration and determination thereof.]

The Committee considered an application from Mr Anthony John Wathan of 22 Towy Avenue, Llandovery to renew his Hackney Carriage/Private Hire Dual Driver's Licence.

Mr Wathan was accompanied by his wife and his solicitor, Mr David Williams. The Committee interviewed Mr Wathan with regard to his application and received statements from Mr Williams and Mrs Wathan. Mr Williams read out three letters providing character references in support of Mr Wathan's application.

The Public Health Services Manager recommended that Mr Wathan's application be granted with a warning as to his future conduct.

The Committee thereupon

**RESOLVED that, in line with the Council's guidelines, the application submitted by Mr Mr Anthony John Wathan to renew his Hackney Carriage/Private Hire Dual Driver's Licence be granted and that he be issued with a warning as to his future conduct.**

**9. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR DANIEL SIMON LAWRENCE**

[NOTE: Councillor J.K. Howell, having earlier declared an interest in this item, left the meeting prior to the consideration and determination thereof.]

The Committee considered an application from Mr Daniel Simon Lawrence of Penwaun, Rhos, Llandysul for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

Mr Lawrence was accompanied by his mother, Mrs Phillips. The Committee interviewed Mr Lawrence with regard to his application, received a character reference from Mrs Phillips and observations from the police representative.

The Public Health Services Manager had originally recommended that Mr Lawrence's application be granted with a warning as to his future conduct. However, she advised the Committee that subsequent to the despatch of the agenda further information had been received and officers were now recommending that the application be refused.

The Committee thereupon

**RESOLVED to retire into private session in order to receive legal advice**

**pursuant to Paragraph 16 of Schedule 12A of the Local Government Act 1972.**

Following the adjournment the Committee reconvened to advise of its decision.

**RESOLVED that, in line with the Council's guidelines, the application submitted by Mr Daniel Simon Lawrence for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be refused.**

Reasons

The Committee, having regard to the evidence presented, believed that the applicant was not a fit and proper person to hold a licence.

**10. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR ANDREW STUART MARLING**

The Committee was reminded that consideration of this item was deferred at the meeting held on 3<sup>rd</sup> September, 2015 (minute 8 refers) as Mr Marling was unable to attend.

The Committee was advised that Mr Marling was not in attendance, however, he had been advised that should he fail to attend then his application may be dealt with in his absence.

The Committee duly considered an application from Mr Andrew Stuart Marling of 54 Park Hall, Carmathen for the grant of a Hackney Carriage/Private Hire Dual Driver's licence.

Concern was expressed that insufficient information was available to enable the Committee to make an informed decision, as the applicant was not in attendance to provide clarification and it was therefore

**RESOLVED that consideration of the application by Mr Andrew Stuart Marling for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be deferred to the next meeting of the Committee and that he be advised that should he fail to attend then his application may be refused.**

**11. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MRS PATRICIA MARY BOTTOMLEY**

The Committee was informed that Mrs Bottomley had contacted officers requesting that consideration of her application be postponed as she was unable to attend today's meeting due to unforeseen circumstances.

**UNANIMOUSLY RESOLVED that consideration of the application from Mrs Patricia Mary Bottomley for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be deferred to the next meeting of the Committee.**

**12. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR DAVID TIMOTHY JONES**

[NOTE: Councillor J.K. Howell, having earlier declared an interest in this item, left the meeting prior to the consideration and determination thereof.]

The Committee considered an application from Mr David Timothy Jones of Green Hill Cottage, Saron, Llandysul for the grant of a Hackney Carriage/ Private Hire Dual Driver's Licence.

The Committee interviewed Mr Jones with regard to his application and received observations from the police representative. The Public Health Services Manager read out a letter providing a character reference in support of Mr Jones' application.

The Public Health Services Manager recommended that Mr Lawrence's application be granted with a warning as to his future conduct.

The Committee thereupon

**RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act 1972.**

Following the adjournment the Committee reconvened to advise of its decision.

**RESOLVED that, in line with the Council's guidelines, the application submitted by Mr Daniel Simon Lawrence for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be refused.**

Reasons

The Committee, having regard to the evidence presented, believed that the applicant was not a fit and proper person to hold a licence.

**13. LICENSING SUB-COMMITTEE MINUTES**

**UNANIMOUSLY RESOLVED that the minutes of the meeting of Licensing Sub-Committee 'A' held on the 26<sup>th</sup> August, 2015 be signed as a correct record.**

**14. MINUTES**

**UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Committee held on the 3<sup>rd</sup> September, 2015 be signed as a correct record.**

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**CHAIR**

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**DATE**